

**MARKED UP VERSION OF AMENDED SPECIFICATION PURSUANT TO  
37 CFR § 1.121(b)(1)(iii)**

On page 1, lines 6 -16, amend the paragraph as follows:

This application relates to co-pending United States Patent Application Serial No. 08/514,649, filed on August 14, 1995, now U.S. Patent 5,894,571, issued April 13, 1999, entitled PROCESS FOR CONFIGURING SOFTWARE IN A BUILD-TO-ORDER COMPUTER SYSTEM, naming Clint H. O'Conner as inventor; United States Patent Application Serial No. 09/012,962, filed on January 26, 1998, now U.S. Patent 6,182,275, issued January 30, 2001, entitled GENERATION OF A COMPATIBLE ORDER FOR A COMPUTER SYSTEM, naming Alan E. Beelitz and Paul J. Maia, as inventors; and United States Patent Application Serial No. 09/158,564, filed on September 22, 1998, now U.S. Patent 6,167,383, issued December 26, 2000, entitled METHOD AND APPARATUS FOR PROVIDING CUSTOMER CONFIGURED MACHINES AT AN INTERNET SITE, naming Ken Henson as inventor. The [co-pending applications] above-listed issued patents are incorporated herein by reference in [its] their entirety, and assigned to the assignee of the present invention.

**MARKED UP VERSION OF AMENDED CLAIMS PURSUANT TO  
37 CFR § 1.121(c)(1)(ii)**

1. (Amended). A method of automatically manufacturing a computer comprising [the steps of]:
  - receiving an order from a customer;
  - assembling together a selection of hardware components specified by the order; and
  - loading onto the computer a software package specified by the order, including [the steps of]:
    - providing an Internet-accessible page for the customer to specify any desired software modifications [required];
    - recording [those] the modifications as an auto-configuration file;
    - and
    - for each modification in the auto-configuration file, determining [the] configuration data corresponding to the respective modification [thereto] and entering [that] the configuration data into the computer as the software package is being loaded.
2. (Amended) The method according to claim 1 [including the step of], further comprising verifying the modifications against [the] order details.
3. (Amended) The method according to claim 1 [including the step of], further comprising verifying the modifications against [the] current capabilities of the manufacturer.

4. (Amended) The method according to claim 1 [wherein], further comprising logging the modifications [are logged] as they are made.
5. (Amended) The method according to claim 3 [wherein], further comprising logging the modifications [are logged] as they are made.
6. (Amended) Apparatus for automatically manufacturing a computer, comprising:
  - an order unit for receiving an order from a customer;
  - an assembly unit for assembling together a selection of hardware components specified by the order; and
  - for loading onto the computer, a software package specified by the order including:
    - an Internet-accessible page onto which the customer can specify any desired software modifications [required];
    - a modification unit for recording [those] the modifications as an auto-configuration file; and
    - for each modification in the auto-configuration file, a control unit for determining [the] configuration data corresponding [thereto] to the respective modification and entering [that] the configuration data into the computer as the software [packages] package is being loaded.
7. (Amended) The apparatus according to claim 6, [including] further comprising means for verifying the modifications against [the] order details.
8. (Amended) The apparatus according to claim 6 [including], further comprising means for verifying the modifications against [the] current capabilities of the manufacturer.

9. (Amended) The apparatus according to claim 6 [including], further comprising means for logging the modifications as they are made.
10. (Amended) The apparatus according to claim 8 [including], further comprising means for logging the modifications as they are made.
11. (Amended) An automated computer manufacturing method comprising [the steps of]:
  - receiving an order from a customer;
  - downloading the order to a manufacturing unit;
  - including an auto-configuration indicator in the order for a special configuration requirement;
  - generating a flag to look for the special configuration requirement;
  - making an inquiry to a manufacturing database for the special configuration requirement; and
  - if located, applying the special configuration requirement to the order.
12. (Amended) The method according to claim 11 [including the step of], further comprising generating an order reference number.
13. (Amended) The method according to claim 12 [including the step of], further comprising accepting the order.
14. (Amended) The method according to claim 12 [including the step of], further comprising processing the special configuration requirement in parallel with a standard configuration requirement.

15. (Amended) The method according to claim 12 [including the step of], further comprising logging the special configuration requirement into a manufacturing log.
16. (Amended) The method according to claim 15 [including the step of], further comprising shipping the order to the customer.
17. (Amended) The method according to claim 11 [including the steps of], further comprising:
  - assembling together a selection of hardware components specified by the order;
  - loading into the computer a software package specified by the order,including the steps of:
  - providing an Internet-accessible page for the customer to specify any desired software modifications [required];
  - recording [those] the modifications as an auto-configuration file;
  - and
  - for each modification in the auto-configuration file, determining [the] any configuration data requirement corresponding [thereto] to the respective modification and entering configuration requirement data into the computer as the software package is being loaded.
18. (Amended) The method according to claim 17 [including the step of], further comprising verifying each modification against the order.

19. (Amended) The method according to claim 17 [including the step of], further comprising verifying each modification against current manufacturing capabilities.
20. (Amended) The method according to claim 17 [wherein], further comprising logging each of the modifications [is logged].

### **REMARKS**

By this amendment, the specification and claims 1 - 20 have been amended. Claims 1 - 20 remain in the application. This application has been carefully considered in connection with the Examiner's Action. Reconsideration, and allowance of the application, as amended, is respectfully requested.

#### **Claim Rejection[s] under 35 U.S.C. § 103**

Claims 1 – 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Doran Jr., et al., Patent Number 6,385,766 in view of Henson, Patent Number 6,167,383. Applicant traverses this rejection for at least the following reason.

#### **Evidence of Common Ownership**

Application Serial No. 09/467,706 and Patents 6,385,766 and 6,167,383 were, at the time of the invention of Application Serial No. 09/467,706 was made, owned by, or subject to an obligation of assignment to Dell USA, L.P., Round Rock, Texas.

The present application was filed after November 29, 1999. Accordingly, Applicant urges that the subject matter of U.S. Patents 6,385,766 and 6,167,383 is disqualified as prior art under 35 U.S.C. § 103(c). As indicated herein above, the present application and the referenced patents were commonly owned at the time the invention of the present application was made.

Accordingly, the 35 U.S.C. § 103 rejection should be withdrawn.

**Conclusion**

The amendments herein are fully supported by the original specification and drawings, therefore, no new matter is introduced.

In view of the above, it is respectfully submitted that claims 1 – 20 are in condition for allowance. Accordingly, an early Notice of Allowance is courteously solicited.

Respectfully submitted,

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